

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO.375 OF 2006

Nareshchandra B. Gupta.

...Petitioner.

vs.

The Soul Food Co. & another.

...Respondents.

Mr.R.S.Champawat, for Petitioner.

Mr.G.H.Shukla, for Respondents.

CORAM: D.K.DESHMUKH, J.

DATED: 17th October, 2006

P.C.:-

By consent of parties, the petition is disposed of in the following terms:-

1. Shri.S.R.Shah, Retired City Civil Judge, Mumbai having address 204, Gokul Gosarwadi, S.V.Road, Malad (West), Mumbai-400064, is appointed as Arbitrator. The disputes between the parties are referred to the learned Arbitrator for decision in accordance with law.

2. It is agreed between the parties that the respondents can encash cheque of Rs.32,000/- which is given by the petitioner to the respondents.

3. The petitioner shall keep the bank guarantee mentioned in prayer clause (a) of this petition current until the Arbitrator directs otherwise.

4. The respondent shall not invoke the bank guarantee for a period of six weeks from today.

5. In case the petitioner does not secure appropriate interim order from the learned Arbitrator or the competent Court within the period of six weeks mentioned above, the respondents shall be free to invoke the bank guarantee for appropriate amount.

6. It is made clear that this order has been made by consent of parties and the parties have given their consent without prejudice to their rights and contentions. All the contentions available to both the sides are kept open to be raised before the learned Arbitrator. Both the parties can apply before the learned arbitrator for any interim relief, and the learned Arbitrator shall decide the applications for interim reliefs made by both the parties in accordance with law, without being

influenced by this order.
